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C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000172

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SUBJECT: UNHCR GAINS ACCESS TO FORMER CONFLICT AREAS IN
EASTERN BURMA

REF: RANGOON 89

Classified By: COM Carmen Martinez for Reasons 1.5 (b,d)

11. (C) Summary: On the heels of a cease-fire agreement between the Burmese regime and the insurgent Karen National Union (KNU), the UNHCR will sign an agreement with the GOB o/a February 13 allowing unprecedented access to former conflict areas along the Burma-Thailand border. UNHCR plans to assess current conditions in Karen (Kayin) and Mon States and in Tenasserim (Tanintharyi) Division with a view to determining future needs for the hypothetical resettlement and repatriation of several hundred thousand refugees and IDPs. UNHCR and the GOB, however, are anxious to quell rumors that repatriation or resettlement is imminent. UNHCR, in fact, believes that conditions in the eastern border region are currently far from conducive for the return of displaced persons to their homes. Meanwhile, in western Burma, resettlement of Muslim Rohingya refugees is nearing completion, but the SPDC continues to treat this long-suffering population as third-class citizens. End Summary.

An Agreement in Principle

12. (C) UNHCR representative Rajiv Kapur called on COM and P/E chief February 5 to explain recent developments that led to an "agreement in principle" with the GOB that will permit UNHCR unprecedented access to former conflict areas in Karen (Kayin) and Mon States and in Tenasserim Division. Jean Marie Fakhouri, UNHCR Director for Asia and the Pacific, will visit Burma February 12-14 to sign the final agreement.

13. (C) Kapur said that UNHCR has been pushing for access to the eastern border areas for the past three years. The region, rife with insurgent activity for decades, has produced hundreds of thousands of internally displaced persons and refugees who have fled to neighboring Thailand. UNHCR has been anxious to assess conditions for eventual repatriation operations, but the SPDC has long considered much of the region highly sensitive and strictly off limits to diplomats, NGOs, and international organizations. Indeed, Kayah State is still considered sensitive and will not be included in the UNHCR agreement.

The Boss Weighs In

14. (C) According to Kapur, key senior GOB officials are worried about rumors that UNHCR will soon close its Burma operations upon completion of resettlement activities in Rahkine (Arakan) State on the western border with Bangladesh. Given the massive refugee problem on Burma's eastern borders, these officials are keen to keep UNHCR active in Burma and demonstrate GOB cooperation with the international community. Rajiv confided to us that he did not discourage the rumors of a UNHCR pullout, because he believes that it is essential to get into the East, especially Mon and Karen States.

15. (C) The issue of UNHCR access to the East came to a head in mid-January, following the SPDC's substantial progress in cease-fire talks with the rebel Karen National Union (KNU) (reftel). Kapur said that the SPDC/GOB was split on allowing the UNHCR short-term access, with the Ministries of Immigration and Foreign Affairs in opposition due to their concerns over UNHCR's leading role on protection issues. According to Kapur, Prime Minister General Khin Nyunt made the call in favor of UNHCR and directed the Minister of Home Affairs to provide full support. This was followed by a late night exchange of letters between the Home Ministry and UNHCR, culminating in an "agreement in principle." However, Khin Nyunt has instructed his deputies to ensure that the arrangement with the UNHCR "does not complicate talks with the KNU."

Don't Open the Floodgates - Yet

16. (C) Kapur stressed that UNHCR does not plan to establish field offices, as this might entice Thailand to prematurely "encourage" refugees to return to Burma (note: Kapur said

that the RTG is already "spreading the word" that the UNHCR has an access deal with the GOB, giving some the false impression that there is already a repatriation agreement in place. "We must rein in the Thai," said the UNHCR representative. End note). UNHCR's intentions are to send assessment teams into the eastern border region to establish a full understanding of current conditions, to determine future needs for hypothetical resettlement (protection monitoring, health centers, etc), and to develop a repatriation plan should the GOB pursue one at a later date.

17. (C) The final agreement signed next week will give UNHCR full access to the region, including the ability to establish future operational bases in the population centers of Pa'an, Tavoy, Myawaddy, and Mudon. Kapur said that UNHCR has built a detailed database on Thailand-based refugees and has a decent idea of where most repatriated refugees would intend to resettle. However, he added, the situation is particularly complex because many Karen refugees originally fled from Irrawaddy (Ayeyarwady) and Bago Divisions (further west, now predominantly ethnic-Burman areas) in which the SPDC is highly unlikely to allow refugees to resettle.

18. (C) Kapur said that repatriation and resettlement in the eastern region will be very difficult due to the large numbers involved and the extremely isolated and difficult terrain. Furthermore, much of the territory suffers from the ravages of war and neglect, including substantial land mines.

19. (C) According to Kapur, UNHCR will make an appeal to donors for a "supplementary operation" budget to conduct the UNHCR assessment in the eastern border areas. He said the refugee organization wants "to start small and just get some people on the ground." UNHCR has not yet developed a full budget, but he expects the initial appeal would be for about \$1 million and would target current donors who already support operations in Rahkine (Arakan) State including the United States, the UK, and the Scandinavians.

Meanwhile, on the Western Front...

10. (C) At the end of our meeting, Kapur briefly addressed the situation in Rahkine (Arakan) State. He said that UNHCR hopes to tackle the Burma-Thailand border refugee problem with its experience in successfully repatriating over 236,000 Muslim Rohingya refugees from Bangladesh to western Burma. He said the GOB has become increasingly flexible with the Rohingyas, noting that UNHCR has succeeded in obtaining residency cards and Burmese language instruction for returnees as a way to help meet requirements for future citizenship. Very few refugees who want to return to Burma, Kapur said, remain in Bangladesh.

11. (C) However, Kapur acknowledged there has been no progress in establishing freedom of movement for the returnees and, overall, the GOB continues to treat them as third-class citizens. "The SPDC wants to keep the Muslims in check, but they are in fact creating ripe conditions for extremists." Furthermore, Kapur claimed, the GOB has been actively spreading propaganda among the predominantly Muslim returnee population, claiming that "the United States is carrying out a plot to create tensions between Buddhists and Muslims in Burma as a way to destabilize the country." Kapur said that senior SPDC officials have been engaged in perpetuating these claims, including an unnamed Major General who recently visited northern Rahkine (Arakan) State.

Comment: Rare Access

12. (C) At the end of February, we hope to join UNHCR on a three-day visit to the western border of Rahkine (Arakan) State for a closer view of repatriation operations. However, our general view is that UNHCR has been doing important work in Burma, particularly on protection and other human rights issues. We would encourage PRM and the Department to respond favorably to an appeal to support an assessment of the eastern border region. Few outsiders have had access to these areas over past decades and UNHCR will have the opportunity to make important recommendations on the future of several hundred thousand displaced persons. End comment. Martinez